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| 09/826,099      | 04/05/2001  | Hsi-Min Chen         | 4504-028            | 2731             |

7590 03/25/2004  
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EXAMINER

LEE, CHEUKFAN

ART UNIT PAPER NUMBER

2622

DATE MAILED: 03/25/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/826,099

Applicant(s)

CHEN, ET AL.

Examiner

Cheukfan Lee

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-12 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

1. Claims 1-12 are pending. Claim 1 is independent.

2. Claims 1-12 are objected to because of the following:

In claim 1, line 10, "image reading" should read – image reading device --.

In claim 4, "charged coupled device" should read – charge-coupled device --,  
which is standard term in the art.

Claims 2-11 are objected to as being dependent upon the objected claim 1.

In claim 12, line 10, "image reading" should read – image reading device --.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al. (U.S. Patent No. 6,268,599).

Regarding claim 1, Chen et al. discloses an image reading device (scanner) comprising a light source (62), an image sensor for sensing an image and generating analog image signals, and a light interference module (push rod 64 of Figs. 6A and 6B) for interfering the light through a light path to the image sensor (Fig. 6B) (col. 3, lines

25-30). The light interference module (push rod 64) interferes the light into the image sensor and thus triggers the image reading device to perform a particular designated function (col. 3, lines 15-18 and col. 2, line 40 – col. 3, line 9).

Regarding claim 2, see lens (66B in Figs. 6A and 6B).

Regarding claim 3, see mirror(s) in the carriage shown in Figs. 6A and 6B.

Regarding 4, see CCD image sensor (col. 3, lines 29-33).

Regarding claim 5, Chen et al. further discloses employing a contact image sensor (col. 3, lines 21 and 38, Figs. 5A and 7A, and also Figs. 8A and 8B, col. 3, lines 43-45).

Regarding claim 6, according to the position of push rod (64), the light projecting to the image sensor is stopped.

Regarding claim 7, according to Figs. 5A and 5B, which correspond to Figs. 6A and 6B (with the difference in the form of the push button), button (54) (light interference module) is moved vertically down from a position (54A) to a position (5B) at which light projecting into the image sensor is stopped (col. 3, lines 10-25).

Regarding claim 8, the push rod (64) is moved substantially perpendicular to the light to stop the light projecting into the image sensor.

Regarding claim 9, according to Figs. 7A and 7B, which correspond to Fig. 6B, the twice knob (74) (light interference module) is rotated to a position shown in Fig. 7B at which the light projecting into the image sensor is stopped (col. 3, lines 35-41).

Regarding claims 10 and 11, the predetermined procedure or particular designated function includes a scanning (col. 2, lines 40-45). As understood, the scanning includes performing scanning and starting a scanning program.

Regarding claim 12, Chen et al. discussed for claim 1 above does not really explicitly disclose which convention, i.e., light blocking convention or light through convention, corresponds to triggering of a particular designated function. However, as the content of the disclosure of Chen et al. is understood, it is inherent that the light through convention, i.e., when the push button (64) is at its position (64A) shown in Fig. 6A, can be the convention that triggers the particular designating function, which includes scanning (col. 2, lines 40-45).

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lee et al. (U.S. Patent No. 6,163,388) discloses an apparatus and method for automatic scanning.

Hsu (U.S. Patent No. 5,900,950) discloses an image scanner with a function of initiating scanning automatically.

Chou et al. (U.S. Patent No. 5,917,616) discloses an image processing apparatus and control method thereof according to a detected closed state of the document cover.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (703) 305-4867. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee  
March 9, 2004



Cheukfan Lee